

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT**

**IN RE:
SAMUEL DAVID ELLIOT**

**CASE NO: 09-50231
CHAPTER: 13
JUDGE: TUCKER**

Debtors /

**ORDER *DENYING, WITHOUT PREJUDICE*, MOTION FOR EXPEDITED
HEARING**

This case is before the Court on the Debtor's "Motion for Expedited Hearing[, etc.]" filed June 17, 2009. (Docket # 24, the "Expedited Hearing Motion"). The Expedited Hearing Motion will be denied at this time because the Debtor's underlying motion does not comply with L.B.R. 9014-1(g). That rule states:

(g) Statement of Concurrence Sought. In an adversary proceeding, or in a bankruptcy case unless it is unduly burdensome, the motion shall affirmatively state that concurrence of opposing counsel in the relief sought has been requested on a specified date and that the concurrence was denied.

The underlying motion (Docket # 23) does not comply with this rule, and Debtor's counsel must do so before the Court will consider granting an expedited hearing on the motion. Debtor's counsel should seek the concurrence of counsel for the Chapter 13 Trustee. If Debtor and the Trustee can reach agreement, the underlying motion can be resolved without a hearing, by filing a stipulation and submitting an agreed order. Accordingly,

IT IS ORDERED that the Expedited Hearing Motion (Docket # 24) is denied, without prejudice to Debtor's right to file a new motion seeking an expedited hearing after filing a supplement to the underlying motion (Docket # 23) showing compliance with L.B.R. 9014-1(g).

Signed on June 17, 2009

/s/ Thomas J. Tucker
Thomas J. Tucker

United States Bankruptcy Judge